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IFW AF 1761

PATENT

CASE #F1103/1(V)
UNUS #01-0055-B-BF

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CUSTOMER NO. 000201

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to:

"Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450"

on August 11, 2004

Edward A. Squillante, Jr.
Reg. No. 29,412
Attorney for Applicants

8/10/04
Date of Signature

APPLICANT: Liedl et al.
SERIAL NO.: 10/057,089
FILED: January 25, 2002
FOR: Nut Butter and Related Products and Method of Making Same

GROUP: 1761
EXAMINER: Helen Pratt
EDGEWATER, NEW JERSEY 07020

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated May 11, 2004 of the Primary Examiner's final rejection of claims 1-12.

The item(s) check below are appropriate:

[X] A timely response to the final Rejection has been filed.
[] An Extension of Time to respond to the Final Rejection was requested for two months.
[] An Extension of Time to file a Notice of Appeal was granted for one month(s).
[X] Charge statutory fee of $330.00 to Deposit Account No. 12-1155. Please charge any additional fees or credit overpayment to Deposit Account No. 12-1155. This request is being submitted in triplicate.

08/16/2004 HALI11 00000033 121155 10057089
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Edward A. Squillante, Jr.
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Registration No. 38,319

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CASE #F1103/1(V)
UNUS #01-0055-B-BF

RESPONSE UNDER 37 C.F.R. 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP # 1761

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Liedl et al.
Serial No.: 10/057,089
Filed: January 25, 2002
For: NUT BUTTER & RELATED PRODUCTS AND METHOD OF MAKING SAME
Group: 1761
Examiner: H. Pratt
Edgewater, New Jersey 07020

REPLY UNDER 37 C.F.R. §1.116

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The following reply is responsive to the Office Action mailed May 11, 2004. Claims 1-12 were originally filed and remain the claims pending for prosecution on the merits. Reexamination and reconsideration of the subject application are respectfully requested.

Also, enclosed herewith is a Notice of Appeal to the Board of Appeals and Patent Interferences.

Remarks/Arguments begin on page 2 of this paper.